

Senate Bill 292

By: Senator Mullis of the 53rd

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 44-5-168 of the Official Code of Georgia Annotated, relating to adverse possession of mineral rights, so as to provide for the automatic reversion of mineral rights to the fee owner of the real property if the owner of the mineral rights has not worked or attempted to work the mineral rights nor paid any taxes due on such mineral rights for a period in the immediately preceding 20 years; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 44-5-168 of the Official Code of Georgia Annotated, relating to adverse possession of mineral rights, is amended by adding a new subsection (b.1) to read as follows:

"(b.1) Whenever mineral rights are conveyed or whenever real property is conveyed in fee simple but the mineral rights to such property are reserved by the grantor, such mineral rights shall revert back to the owner of the real property in fee simple or his or her heirs or assigns automatically by adverse possession if the owner of the mineral rights or his or her heirs or assigns have neither worked nor attempted to work the mineral rights nor paid any taxes due on them for a period of more than 20 years since the date of the conveyance. Such conveyance or reservation of mineral rights shall be deemed to be cancelled by operation of law and no further action shall be required to establish such reversion to the owner of the real property in fee simple."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.